

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE
U.S. DISTRICT COURT
AT ROANOKE, VA
FILED
March 27, 2025
LAURA A. AUSTIN, CLERK
BY: s/ M.Poff, Deputy Clerk

WILLIAM O. MURRAY, III,)	
Plaintiff,)	Civil Action No. 7:24-cv-00120
)	
v.)	
)	By: Elizabeth K. Dillon
CAPT. JIMMY WIMER.,)	Chief United States District Judge
Defendant.)	

MEMORANDUM OPINION AND ORDER

William O. Murray, III, a Virginia inmate proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. Defendant Captain Jimmy Wimer moved to dismiss (Dkt. No. 16), and the court issued a *Roseboro* notice on May 15, 2024. (Dkt. No. 17.) The order explained that if Murray does not respond to the motion in a timely manner, the court will assume either that he lost interest in the case or that he agrees with what defendant states in defendant's pleadings, and the case could be dismissed for failure to prosecute.

The initial *Roseboro* notice was returned as undeliverable (Dkt. No. 19), and the *Roseboro* notice was reissued and sent to the updated address that Murray had provided to the court. (Dkt. Nos. 18, 19, 20.) However, the second *Roseboro* notice was also returned as undeliverable, and no forwarding address has been provided. (Dkt. No. 21.) Murray has not responded to the motion to dismiss.

Murray has been advised by the court that failure to notify the court of a change of address upon transfer or release will result in dismissal of this case. (Dkt. Nos. 2, 5.) While he submitted two address change notices, Murray apparently has changed addresses again without updating the court, and he has not responded to the motion to dismiss. Thus, the court will dismiss this matter without prejudice for want of prosecution.

Accordingly, it is HEREBY ORDERED that this case is DISMISSED WITHOUT PREJUDICE for failure to prosecute. All pending motions are DISMISSED WITHOUT PREJUDICE as moot. The Clerk is directed to STRIKE this case from the court's active docket and to transmit a copy of this order to Murray and to all counsel of record.

Entered: March 27, 2025

/s/ Elizabeth K. Dillon
Elizabeth K. Dillon
Chief United States District Judge